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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,387	10/21/1999	MOSHE ZILBERSTEIN	2559/1F420-U	5469

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DARBY & DARBY
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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 09/05/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/422,387

Applicant(s)

ZILBERSTEIN ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11, 14, 15 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11, 14, 15 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Response to Office Action filed on 6/11/2003 (paper # 15).
Claims 1-6, 12, 13, 16-19 are cancelled. Claims 7-11, 14, 15 and new claim 20 are presented for examination.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 7-11, 14, 15 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by MacNaughton US pat. No.6,020,884.

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As to claim 7, MacNaughton discloses a method for providing usage information pf a first web site designated by a user, comprising:

Receiving, from the user (Community Client), a designation of the first web site as a homepage, wherein the homepage is any web site on a communication network (defining homepages for each community and their associates, see abstract, figs.1A, 1B, col.5 line 43 to col.6 line 61).

Monitoring usage of the homepage by a plurality of users (using the Community Server to manage Homepages defined for each community, annotations and their associations) and transmitting data representative of the usage to the user when the user is connected to a communication network (tracking the user interactions, see col.6 line 35 to col.7 line 56 and col.8 line 26 to col.9 line 52).

As to claims 8 and 9, MacNaughton discloses displaying to the user the usage information in a graphical format and text format (see col.1 line 42 to col.2 line 46 and col.3 line 42 to col.4 line 42).

As to claims 10 and 11, MacNaughton discloses the usage information is displayed automatically to the user and only upon a command generated by the user (see col.7 line 9 to col.8 line 25).

As to claim 14, MacNaughton discloses:

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receiving, from the user (Community Client as user preference) a designation of the first web page as a homepage and monitoring usage of homepage by a plurality of users (see fig. 1A, 1B, abstract, col.5 line 42 to col.6 line 61, col.8 lines 26-41 and col.9 lines 6-52).

transmitting data representative of the usage to the user when the user is visiting a second web page (see col.6 line 12 to col.7 line 7).

Claim 15 is rejected for the same reasons set forth in claim 14. As to the added limitations, MacNaughton discloses a processor (28 fig. 1A) and a memory for storing processing instructions (Via Community Server, see col.5 line 42 to col.6 line 61).

As to claim 20, MacNaughton discloses an indication of web sites visited by the plurality of users prior to visiting the first web site and an indication of when and how long the plurality of users visited the first web site (using tracking listener to track server request connections, see col.12 line 20 to col.13 line 55 and col. 17 line 8 to col.18 line 67).

Response to Arguments

4. Applicant's arguments with respect to claims 7-11, 14, 15 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Claims 7-11, 14, 15 and 20 are rejected.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 305-9648. The fax phone numbers for this group are:

After Final: (703) 746-7238

Official: (703) 746-7239

Non-Official/ Draft: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
9/2/2003


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER